

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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RONALD KWAME GAINES,

Plaintiff,

vs.

GREG COX, *et al.*,

Defendant,

2:11-cv-206-GMN-RJJ

O R D E R

This matter is before the Court on Plaintiff's Motion for Default or Sanctions Against Defendant for Non Compliance F.R.C.P. 16.1 and 37 (#49).

The Court having reviewed the Motion (#49) and the file herein, finds that on May 16, 2012, the Court granted the parties to and including May 31, 2012, to file a proposed, joint discovery plan and scheduling order. *See*, Order (#45). Good cause appearing therefore,

IT IS HEREBY ORDERED that Plaintiff's Motion for Default or Sanctions Against Defendant for Non Compliance F.R.C.P. 16.1 and 37 (#49) is **DENIED** as premature.

DATED this 29<sup>th</sup> day of May, 2012.

  
ROBERT J. JOHNSTON  
United States Magistrate Judge